IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

Crl.Rev.Pet.No. 2413 of 2007()

CRA.580/2006 of ADDL.SESSIONS COURT, (ADHOC), ERNAKULAM
CC.34/2002 of JUDL.MAGISTRATE OF FIRST CLASS, KOLENCHERRY

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REVN. PETITIONERS/APPELLANTS/ACCUSED:

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1. M/S.KHAN TRADING COMPANY,
   HILL PALACE ROAD,TRIPUNITHURA,
   REPRESENTED BY V.H.BAVAKHAN,MANAGING PARTNER.

2. V.H.BHAVAKAN,AGED 66,
   M/S.KHAN TRADING COMPANY,RESIDING AT
   VELUTHEDATH KALASSERIL HOUSE,HILL PALACE ROAD,
   TRIPUNITHURA.

BY ADV. SRI.C.P.UDAYABHANU

RESPONDENTS/COMPLAINANT:

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1. MANOJ BABU K.G,S/O.GEEVARGHESE,
   KARAKKATTU HOUSE,KANINADU P.O,
   PUTHENCRUZ,ERNAKULAM.

2. STATE OF KERALA REPRESENTED BY THE
   PUBLIC PROSECUTOR,HIGH COURT OF KERALA,
   ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.K.S.SIVAKUMAR
SRI.PAUL K.PETER
SRI.T.R.S.KUMAR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 03/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. NO. 2062 of 2007

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Dated, this the 4th day of July 2007

ORDER

The accused in C.C.1/2005 on the file of the J.F.C.M-II, Pathanamthitta for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A. 7316 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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